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| 1 | SIDNEY J. COHEN, ESQ., State Bar No. 39023 SIDNEY J. COHEN PROFESSIONAL CORPORATION | | |
|----|--|--|--|
| 2 | 427 Grand Avenue Oakland, CA 94610 | | |
| 3 | Telephone: (510) 893-6682 | | |
| 4 | Attorneys for Plaintiff RICHARD SKAFF | | |
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| 6 | | | |
| 7 | UNITED STATES DISTRICT COURT | | |
| 8 | NORTHERN DISTRICT OF CALIFORNIA | | |
| 9 | | | |
| 10 | RICHARD SKAFF | CASE NO. C 05-1170 MEJ Civil Rights | |
| 11 | Plaintiff, | Civii ragitis | |
| 12 | V. | | |
| 13 | LARKSPUR REAL ESTATE PARTNERSHIP I, LP; LARKSPUR | STIPULATION AND ORDER FOR DISMISSAL OF COMPLAINT | |
| 14 | REAL ESTATE PARTNERSHIP II, LP; BARNES & NOBLE, INC.; and DOES 1- | AGAINST DEFENDANTS LARKSPUR REAL ESTATE PARTNERSHIP I, LP | |
| 15 | 25, Inclusive, | AND LARKSPUR REAL ESTATE PARTNERSHIP II, LP | |
| 16 | Defendants. | FRCP 41 (a) (1) (ii). | |
| 17 | | 1101 11 (a) (1) (ii). | |
| 18 | Plaintiff Richard Skaff and defendants Larkspur Real Estate Partnership I, LP and | | |
| 19 | Larkspur Real Estate Partnership II, LP, by and through their attorneys of record, file this | | |
| 20 | Stipulation of Dismissal pursuant to Federal Rule of Civil Procedure section 41 (a) (1) (ii). | | |
| 21 | Plaintiff filed this lawsuit on March 22, 2005. | | |
| 22 | Plaintiff Richard Skaff and defendants Larkspur Real Estate Partnership I, LP and | | |
| 23 | Larkspur Real Estate Partnership II, LP have entered into a "Mutual Release And Settlement | | |
| 24 | Agreement" which settles all aspects of the lawsuit against said defendants. The "Mutual Release | | |
| 25 | And Settlement Agreement"is incorporated b | by reference herein as if set forth in full. Plaintiff | |
| 26 | Richard Skaff and defendants Larkspur Real | Estate Partnership I, LP and Larkspur Real Estate | |
| 27 | Partnership II, LP stipulate to the court retaining | ng jurisdiction to enforce the "Mutual Release And | |
| 28 | | | |

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| 1 | Settlement Agreement." | |
| 2 | Plaintiff Richard Skaff moves to dismiss with prejudice the Complaint against defendants | |
| 3 | Larkspur Real Estate Partnership I, LP and Larkspur Real Estate Partnership II, LP. | |
| 4 | Defendants Larkspur Real Estate Partnership I, LP and Larkspur Real Estate Partnership | |
| 5 | II, LP have answered the complaint and agree to the dismissal with prejudice. | |
| 6 | This case is not a class action, and no receiver has been appointed. | |
| 7 | This Stipulation and Order may be signed in counterparts, and facsimile signatures shall | |
| 8 | be as valid and binding as original signatures. | |
| 9 | Wherefore, plaintiff Richard Skaff and defendants Larkspur Real Estate Partnership I, LP | |
| 10 | and Larkspur Real Estate Partnership II, LP, by and through their attorneys of record, so stipulate. | |
| 11 | Date: 8/2/06 SIDNEY J. COHEN PROFESSIONAL CORPORATION | |
| 12 | $a = T \wedge a$ | |
| 13 | Sidney J. Cohen, Esq. | |
| 14 | Attorney for Plaintiff Richard Skaff | |
| 15 | Date: 8/10/06 LITTLER MENDELSON | |
| 16 | | |
| 17 | Mary D/ Walsh | |
| 18 | Attorney for Defendants Larkspur Real Estate Partnership I, LP and | |
| 19 | Larkspur Real Estate Partnership II, LP | |
| 20 | PURSUANT TO STIPULATION OF THE PARTIES, IT IS SO ORDERED: The Complaint against defendants Larkspur Real Estate Partnership I, LP and Larkspur Real Estate Partnership II, LP is dismissed with prejudice. The Court shall retain jurisdiction to | |
| 21 | | |
| 22 | | |
| 23 | enforce the "Mutual Release And Settlement Agreement." | |
| 24 | Date: August 11, 2006 | |
| 25 | Martin IT IS SO ORDERED - W | |
| 26 | | |
| 27 | Judge Maria-Elena James | |
| 28 | | |
| | Stipulation And Order For Dismssal -1- DISTRICT OF | |